

These are the minutes of the Regular Session of the City of Adams, WI held on January 17, 2011 in the City Municipal Building.

Meeting was called to order by Mayor Williams. On roll call were Alderpersons Baumgartner, Jensen, Manthey, Newberg, Scott, Suhr, Mayor Williams, Administrator Ellisor, Attorney Pollex, Chief Hanson and Street Superintendent Mead.

**Motion by Suhr, second by Baumgartner to approve the minutes of the January 3, 2011 meeting as printed. Roll call vote, all voted aye.**

Petitions and Communications: None

Report of Standing Committees:

**Public Safety Committee:**

In Petitions and Communications a discussion was held regarding snowmobiles going pretty fast. Since the directive was given to stop and talk to them and check registration, there have been two citations.

Motions were made to approve the Building Inspector's Report.

Discussion was held regarding medical clearance for detox at Moundview Hospital – Meeting on January 18, 2011 to discuss issue. Currently on the second round of interviews for the new officer hire. The end of year reports will be ready at the next meeting.

Motions were made to approve the Police Report.

**Public Works Committee:**

Street Superintendent Mead gave a talk and diagram of the new foot bridge for Burt Morris Park and stated it is set for an April start date. DNR approval of change orders for decommission of Well #2, back up power for Well #4 and rehab of Well #4.

Brian Kehrli and Rob Uphoff – MSA Professional Services are looking into 2 new scales for approximately \$2,600.00 per scale for Well #4. The old ones have been in for approximately 15 years. Final request for payment on Well #5 was given to Administrator Ellisor.

The plans and specs relating to the South Business Park are in to EDA and are ready to go for next construction season.

The plans are back for the Salt Storage Shed and Bob White is looking it over. It didn't include concrete work which MSA is working on plans for.

**Personnel Committee:**

Motions were made to Adjourn from Open Session and Reconvene in Closed Session for Considering Employment, Promotion, Compensation or Performance Evaluation Data– Police Officer SS 19.85(1)(c).

The Closed Session was called to order. On roll call were the members listed above.

Interviews were held. Recommendations forwarded to the Chief for final decision.

**Fire District:**

Motions were made to approve the Finance Report.

Chief's Report:

There were 19 calls. A discussion was held regarding drug testing. Discussion was brought up again about how the fire department is to dispose of their garbage now that there are no longer any dumpsters.

Handed out payment forms – City's share is \$39,730.32

A discussion was held regarding the problems with the door. Reminder to sign 2% payment forms.

Report of City Officers:

**Mayor Williams:** Reported that Attorney Pollex is paid at the rate of \$90.00 per hour, that covers what he or his company work on for the City. When Attorney Pollex attends meetings, he is paid at that rate. There has been no current Agreement found at this point, he has asked Bob to meet with Eric to draw up a new Agreement to be approved by the City Council. As Council is aware, we have been sued by the Railroad for our closing of the road into the railroad yards although, we provided them with alternate areas to go into it and the permits for anyone else to go in there. The Insurance Company will represent us as it stands right now, they feel we have a good case and it's rather foolish to do what they're doing, however they've done it so we will have to see how it plays out. The Insurance has the law suit and a copy has been given to Eric. Attorney Pollex stated that Bob called him today on it and we will get together tomorrow to go over it. In the paper, the Village of Friendship turned down any contribution to Channel 4. Unless there is substantial reevaluation that this Council wants to do which would have to be brought up at another meeting, we will not be contributing to Channel 4. That is based on a decision that was made last fall by this group with respect of our contributing the full amount to Channel 4 and the school district.

**Administrator Ellisor:** Reiterated on the Public Works committee report given by Mr. Jensen. We did learn that our change orders were approved for the Well #5 project. The remaining work will be with Municipal Well & Pump. They will be doing the backup power and rehab to Well #4, and decommission Well #2. As the Mayor noted, we did get a follow up from the Railroad in regards to the closure of the road and their sentiment is that they incurred some loss, as a loss of it. We have been assured by EMC Insurance attorneys will be handling this. He stated as referenced by the Mayor, he got the impression that it wasn't a real good cause that the railroads pushing for here, but still have to go through all the steps from here.

**Attorney Pollex:** Reported that he has been busy the last couple of weeks. He has discussed with Inspector White the Sigafus property and others that need enforcement. He has received a call from EMC Insurance. He has discussed some legal arguments with the Insurance Attorney. They have asked the procedural history on what has taken place so far. Administrator Ellisor contacted him about the dealing we have with what use to be Northern Bay. He has two trials with the Police Department this week and eight pages of returns to do. He stated he would like to clarify how he is paid and where the contract was. He has searched his office and believes that it may have been on his old computer and when he changed firms, he received a new computer and must not have installed that onto his new computer. He will be working on another replacement Agreement that clarifies that he is not on a retainer. He feels when there is not anything necessary on the agenda that he can contribute to, it's been his practice to save the City time and money of him being here. He doesn't really have a lot to do during the course of the meeting, and he can submit a written report. He is going to contact former Mayor Romell to see if he retained a copy or knows where a copy of the Agreement is. And to confirm again with him, what his recollection is and what Bobs is, there was a replacement Agreement, it's just that nobody can put their finger on it. He put in place to address some of the questions that were raised, a written procedure with his firm and with his office that he copied Administrator Ellisor and Chief Hanson. It is as to what is to be done if he is in court and if his office receives a call and needs a call back immediately. We should be a tighter ship for 2011 and it's good to revisit it and make sure the concerns are addressed. Mayor Williams stated that it's true that we had an Agreement with you, for quite a few years because we have been paying you at that rate, and no more for a long period of time. Attorney Pollex stated that is about 65% of his normal in-court billing rate, so he is giving the Municipality quite a reduction then when he is in court. Scott questioned if the rate will remain the same. Mayor Williams stated we will have something to say about that too.

THE MINUTES ARE DRAFT AND SUBJECT TO COUNCIL APPROVAL

**Chief Hanson:** Reported that he has conducted one interview of the final three candidates and will interview the second Wednesday. On January 30<sup>th</sup> Adams Friendship Olympics will hold their Basketball Tournament. He stated the Wisconsin Law Enforcement is a supporter and encouraged the officers to attend. He also invited the Mayor and Council to partake in this local event. He will be attending the Wisconsin Chiefs of Police Midwinter Conference in the Dells from January 31<sup>st</sup> to February 2<sup>nd</sup>.

**Street Superintendent Mead:** Reported that the department is working on street clearing and removal of snow. The department handled the clearing of Main Street well Saturday, they were done in less than two hours, and they will start clearing the curb line down to the railroad tracks. He is arranging to take the Christmas decorations down.

**New and Unfinished Business:**

**Motion by Manthey, second by Newberg to Approve the Agreement for Assessment Services with Up North Assessments LLC in the Amount of \$5,422.04 for the 2011 assessment year. Roll call vote, all voted aye.**

**Motion by Newberg, second by Jensen to Adopt Resolution 2011-01R (see appendix B of Minutes Book) for Designated Public Depositories – Royal Bank. Roll call vote, all Voted Aye.**

**Motion by Newberg, second by Baumgartner to Authorize Issuance of Fermented Malt Beverage and Intoxicating Liquor Renewal License for Change of Agent for Adams Deli and European Sausage, Inc. to Agnieszka Lukaszewicz Roll call vote, all voted aye.**

**Motion by Jensen, second by Suhr to Approve Payment of Bills. Roll call vote, all voted aye.**

**Motion by Newberg, second by Jensen to Adjourn. Roll call vote, all voted aye.**

Respectfully Submitted,  
Janet L. Winters, WCMC  
Clerk/Treasurer